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To: Mail Stop Appeal Brief-Patents	From: Mikio Ishimaru
Examiner Sujoy K. Kundu	
Fax: (571) 273-8300	Pages: 31, including this page
TC 2863 - After Final	
Phone: (571) 272-8586	Date: February 27, 2006
Re: U.S. Patent Application Serial No. 10/817,300	Atty. Docket no.: H0819

Appeal Brief in Response to Notice of Appeal filed December 27, 2005

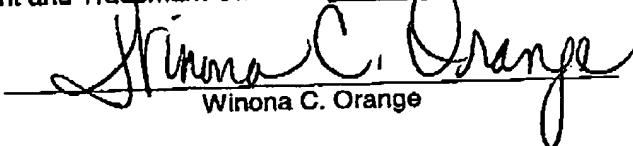
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With reference to serial number 10/817,300, the following are being submitted:

- Fax Cover Sheet with Certificate of Transmission (1 page)
- Transmittal for Enclosures (2 pages)
- Appeal Brief (28 pages)

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FEB 27 2006 PATENT

Docket No.: H0819

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re Application of:</b>	Jeffrey P. Erhardt et al.	<b>Confirmation No.:</b>	1884
<b>Serial No.:</b>	10/817,300	<b>Examiner:</b>	Sujoy K. Kundu
<b>Filed:</b>	Apr 2, 2004	<b>Group Art Unit:</b>	2863
<b>For:</b>	METHOD AND APPARATUS FOR USING CLUSTERING METHOD TO ANALYZE SEMICONDUCTOR DEVICES		

TRANSMITTAL FOR ENCLOSURES (check all that apply)		
<input type="checkbox"/> Response / Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO Form-1449, & cited Reference(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>• Fax Cover Sheet with Certificate of Transmission</li> </ul>
<b>Remarks</b>		

The fee, if required, has been calculated as shown below:

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	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEES
Total Claims	20	20	0	x \$50 =	\$ 0.00
Independent Claims	4	4	0	x \$200 =	\$ 0.00
If multiple claims newly presented, add \$300					
Fee for extension of time					
Other: APPEAL BRIEF					\$500.00
					<b>TOTAL FEE</b>
					<b>\$500.00</b>

- Please charge Deposit Account No. 01-0365 in the amount of \$500.00. An additional copy of this transmittal sheet is submitted herewith.
- The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 01-0365, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Wifia Johnson

Mikio Ishimaru  
Registration No. 27,449  
Date: February 27, 2006

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PATENT

Docket No.: H0819

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey P. Erhardt et al. : Confirmation No.: 1884  
Serial No.: 10/817,300 : Art Unit: 2863  
Filed: 4/2/2004 : Examiner: Sujoy K. Kundu  
For: METHOD AND :  
APPARATUS FOR USING  
CLUSTERING METHOD  
TO ANALYZE  
SEMICONDUCTOR  
DEVICES

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## APPEAL BRIEF

Sir:

The following Appeal Brief is submitted pursuant to the Notice of Appeal filed December 27, 2005 in the above-identified Application.

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PAGE 3/4 \* RCVD AT 2/27/2006 5:39:46 PM [Eastern Standard Time] \* SVR:USPTO-EXRF-6/39 \* DNI:2738300 \* CSID:408 738 0881 \* DURATION (mm:ss):01:04

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Serial No.: 10/817,300  
Group Art Unit: 2863

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